Meeting Minutes Cordell Bank National Marine Sanctuary Advisory Council Meeting Agenda Cypress Grove Preserve January 26, 2006

<u>Time</u>	Topics and Objectives
9:30-9:45	Welcome, Roll Call, Review Agenda – Tom Lambert
9:45-10:00	Review Last Meeting's Minutes - Tom Lambert
10:00-10:15	Public Comment Period – Tom Lambert
10:15-10:45	Manager's Report – Dan Howard
10:45-11:30	Possible Action Council Member Reports – Tom Lambert
11:30-11:45	Break
11:45-12:15	Habitat-Based Assessment of Structure Forming Megafaunal Invertebrates and Fishes on Cordell Bank, California by Jodi Pirtle – Dale Roberts
12:15-1:00	Lunch
1:00-1:30	Oil and Gas Exploration on the West Coast/Energy Bill Update Richard Charter
1:30-1:45	Questions for Richard Charter - Tom Lambert
1:45-2:00	Break
2:00-2:15	Introduction to West Coast National Marine Sanctuaries Response to Federal Energy Bill, and Oil and Gas Exploration on the West Coast - Lance Morgan
2:15-3:30	Possible Action Drafting and Consideration of Resolution Regarding Oil and Gas Exploration on the West Coast
	 Tom Lambert and Dan Howard

Materials Distributed –

- Agenda
- •Minutes from 12/1/05 SAC meeting
- •Resolutions drafted by Channel Islands, Monterey Bay/Gulf of the Farallones, Olympic Coast National Marine Sanctuary Advisory Councils

Meeting Commenced at 9:30 a.m.

Roll -

Council Members Present:

Carol Keiper

Todd Steiner

Dan Cohen

Josh Churchman

Joe Smith

Michael Mery

Doreen Moser

James Clemens

Tom Lambert

Lance Morgan

Maria Brown

Duffy Ross - second half

Voting alternates:

Josh Churchman for Chuck Wise

Council Members Absent:

Chuck Wise

Brian Mulvey

Chris Mobley

William Douros

Staff Present:

Rowena Forest

Dan Howard

Dale Roberts

Michael Carver

Review Agenda – Tom Lambert

Review 12/1/05 Minutes – Tom Lambert

Michael Mery asked about the contractors for the Management Plan Review and suggested scrutinizing the current contracting company hired for performance. Josh Churchman also commented on this contractor's participation in the Bolinas Lagoon project as poor.

Josh Churchman commented about Jaime Jahnke's krill presentation at the 12/1 meeting and his concerns that this study would lead to no-take zones for fishing.

Changes to the minutes were proposed. Rowena will make these changes and bring the 12/1/05 minutes to the next meeting.

Public Comment -

Introductions:

Paul Elmore – Marshall Planning commission Richard Charter – Gulf of the Farallones Sanctuary Advisory Council Peter Pyle – Institute for Bird Populations Michael Carver – Cordell Bank NMS There were no comments

Dan Howard proposed adding an afternoon public comment period to today's agenda. The Council agreed that public may comment during the afternoon question and answer period.

Manager's Report – Dan Howard

We have our final budget for this fiscal year and it is a 16.5% reduction from last year. With salaries and other fixed costs, the reduction to programs is more like 35%. We will be completing some activities from last year but will not be initiating any significant work this year.

Join Management Plan Review Goals for 2006

- Finalize draft proposed rules for all three sites
- Finalize draft EIS and MPs
- Print and release DEIS and MPs -- hold public hearings
- Respond to public comments & incorporate changes
- Print and publish FEIS, MPs and final rules

The proposed rule prohibiting bottom contact gear on Cordell Bank has been published in the federal register and is now open for public comment. This is the next step in the regulatory process to prohibit bottom contact gear on the bank as part of the national marine fisheries service essential fish habitat rule.

The Ecotrust document on the Socioeconomic Profile of Fishing activity and communities associated with GF and CBNMS has been printed. I have copies here for anyone who would like one, it is also available electronically on the Ecotrust web site. http://www.ecotrust.org

Another publication just released is the Characterization and Monitoring of Temperature, Chlorophyll, and Light Availability Patterns in NMS waters. This work was completed by National Center for Coastal and Ocean Science and is a summary of oceanographic conditions at MB, GF and CBNMS. I brought copies if any one is interested.

Quick summary of joint MB/GF SAC meeting on December 9, 2005 – this is an annual meeting to discuss common issues between the two sites including the northern management area – Richard Charter gave the same presentation we will hear today and the SACs drafted a resolution following that presentation.

Bill Douros reviewed the decision by Vice Admiral Lautenbacher to pursue fisheries regulations in Sanctuaries using the Magnuson Stevens Act. For Cordell this was the protection of the bank from bottom contact gear.

The afternoon was a series of presentations on the State's Marine Life Protection Act and designation of marine reserves in central CA. Presentations by different stakeholders on process – presentation by fish and game of the four alternatives – I think another one has been added since the meeting. And now the selection process will begin to determine the area and the restrictions of the reserve.

Presentation on the seabird colony protection program that GF is implementing along the San Mateo coast especially in the vicinity of the murre restoration site by devils slide. Effort will include education and outreach to different user groups that frequent this area – ie pilots, fishermen, kayakers.

Regional Office has been opened in Monterey and we are continuing to develop our regional organization.

Education Program Update –

As part of the regional structure Education, Research and Maritime Heritage will have representatives on the west coast council. Jenny is regional education representative. The California Signage Plan development – there will be Sanctuary interpretive signs put up this year, and Jenny will be open to SAC suggestions for signage locations. Location suggestions for signage included Tomales Point, Bodega Head, Point Reyes National Seashore Headquarters at the Bear Valley trailhead. Kip Evens has been taken out to Cordell Bank for filming in development of a 12-minute video of Cordell Bank. ROV

workshop – Dan described this educational workshop. BWET – Dan described this grant opportunity for the local education community.

Council Member Reports – Tom Lambert

<u>Josh Churchman</u> – reported about the College of Marin (COM) Marine Biology Lab. The COM is pursuing selling this building privately due to the dilapidated state of the building and liability.

Tom added that the COM funded a survey of the building and damages and noted some of the repairs needed: mold, seismic work, asbestos, structural, etc..

Tom commented that one COM trustee would like to see positive alternatives presented, including partnerships with the Rhomberg Tiburon Center, the Marine Mammal Center, etc..

The Council expressed concern that the property assessment report was slanted to encourage the COM lab being sold privately to raise funds for the college.

Richard Charter noted that fundraising and community partnership opportunities abound in Marin County for such preservation and public education projects.

James Clemens interjected that other historic lifeboat stations in the western states are being used as bed and breakfasts.

Protection strategies could include historic building registration, facility deemed for educational purpose, etc.

Tom Lambert asked how the Council would like to proceed with this issue. The Council suggested gathering immediate support from public agencies and non-profits.

Michael Mery suggested first developing a group of partners/consortium to pursue and propose this issue to COM.

The council pointed out that the site of this lab is a highly desirable location for its great potential to education and marine science – with a large community of people interested in the use and continuation of the lab and potential scientific involvement with the Sanctuaries.

Todd Steiner asked the Council to recognize the roll of Cordell Bank in this issue not as a lead entity.

Josh would like to propose it be presented to the COM that the Council/NMSP is aware of the imminent loss of the lab, and it was discussed at an Advisory Council meeting. Carol would like this issue and meeting discussion passed on to the Gulf of the Farallones SAC.

The Council suggested working with the Gulf of the Farallones SAC on this to develop a resolution regarding the lab.

Tom Lambert will send a letter to the COM requesting a statement of intent and letting them know we are looking closely at this issue.

Richard Charter will act as liason to the Gulf of the Farallones SAC about this, possibly encouraging the formation of a committee to draft a resolution.

<u>Carol Keiper</u> – discussed the presence of recreational squid fishing activities on CB.

<u>Tom Lambert</u> – reminded the group that we will be discussing constituent outreach again at the April 13th SAC meeting. Tom reported that he conducted public outreach about CB at the American Fisheries Society meeting.

Break

Habitat-Based Assessment of Structure Forming Megafaunal Invertebrates and Fishes on Cordell Bank, California by Jodi Pirtle

-Dale Roberts

Tom introduced Dale and suggested each meeting features a presentation regarding the biology and natural history of Cordell Bank, for the interest and education of the Council.

Dale introduced this presentation and discussed the history behind Jodi Pirtle's study.

Slides –

Large invertebrates

The analysis will describe entire communities – physical hab, fish, inverts

Objectives of study

Methods – Submersible Dives. All data used for thesis collected during 2002 survey.

Method – Physical Habitat

Most Abundant Invertebrate Taxa

Most abundant fishes

Invertebrate – Habitat Assessment

Fish – Habitat Assessment

Methods – Ecosystem

Results – Communities and Physical Habitats

Methods – Ecosystem

Ecological Communities at Cordell Bank

Methods – non-random Associations

Methods – Close Associations

Close Association Categories

Results – Nearest Neighbor Analysis

Results – Close Associations

Results – patterns of Association

Conclusions – Close Associations

Conclusions – Overall: structure-forming invertebrates have an ecological role as living habitat in this ecosystem.

Conclusions – Implications for Fisheries Management

Dale acknowledged that working interactions with Jodi Pirtle has been productive and beneficial to the understanding and management of CBNMS. Dale noted Jodi's photographs taken during this study as important contributions.

Questions for Dale –

How did Jodi's observations compare to Bob Schmeider's

Dale – this would only apply to the shallowest habitats, which he observed

Lance – discussed his work with Jodi in the past. And discussed place of anecdotal records of fisheries as important to current observations and concerns of fishing practices on deeper habitats.

Micheal Carver – any observations of presence of invasive/non-native species such as the invasive tunicate on the Bank during this study?

Dale - no

Dan mentioned the cancellation of identifying Cordell Bank samples stored at the California Academy of Sciences due to budget cuts.

Dan announced the Davidson Seamount MBARI expedition

Lunch 12:15-1:00

Oil and Gas Exploration on the West Coast/Energy Bill Update – Richard Charter

Richard introduced this topic and presentation and the political climate regarding exploration of all oceans and Sanctuaries for oil and gas deposits.

Slides:

<u>Current Protections on Outer Continental Shelf</u> – layers of protections

Legislative OCS -

Began in 1981 as part of FY 1982 DOI Appropriations Bill Renewed annually with bipartisan cooperation Included in Bush budget for FY 2006 Final Passage in July of 2005 Bans OCS "leasing, pre-leasing, and related activities"

Presidential OCS Deferrals -

OCS Lands Act Exclusionary Zone -

<u>National Marine Sanctuaries</u> – each CA NMS came about because of the threat of oil drilling. National Marine Sanctuaries are a drilling ban. Monterey Bay is the most protected of all CA Sanctuaries.

Map of Areas at Risk

Omnibus Energy Act of 2005 – requires "OCS Inventory" using seismic surveys, even within sensitive coastal waters protected by the Congressional moratorium. No exemption for National Marine Sanctuaries from the OCS Inventory.

Energy Act of 2005

Omnibus Energy Bill of 2005

Ocean States Options Act – proposed in House Budget Reconciliation Package by Rep. Pombo. Was not adopted in House Budget Reconciliation Package.

<u>Seismic Surveys</u> – techniques, equipment, impacts

U.S. Department of Interior Minerals Management Service

Five-year Program is the template for all OCS leasing actions between 2007-2012

Rep. Peterson's Natural Gas Legislation

Map of the Existing and Proposed Expansions of the National Marine Sanctuaries

Questions for Richard Charter -

Maria noted that Dan Basta requested seismic airgun surveys be included on the agenda for the Annual Chairs Coordinators meeting in 2006.

Council questions regarding language of MB/GF resolutions

Council questions regarding the relationship between Navy sonar testing and seismic surveys

Introduction to West Coast National Marine Sanctuaries Response to Federal Energy Bill, and Oil and Gas Exploration on the West Coast -Lance Morgan

Lance reviewed all three resolutions drafted by the four west coast sanctuaries.

Maria clarified where the Monterey Bay/Gulf of the Farallones resolution was distributed: Governor Schwarzenneger's office, National Marine Sanctuary Program - Dan Basta, Admrl Lautenbacher's office. As an individual, but not representing the Advisory Council or the NMSP, members can educate federal bodies and legislature of the resolutions.

The Council reviewed the text of the three resolutions drafted by the four Sanctuaries: Channel Islands, Olympic Coast, Monterey Bay and Gulf of the Farallones.

Break

Lance Morgan and Michael Mery adjourned. Duffy Ross arrived.

Drafting and Consideration of Resolution Regarding Oil and Gas Exploration on the West Coast

- Tom Lambert and Dan Howard

Dan introduced the history and development of the Monterey Bay/Gulf of the Farallones joint resolution. Dan outlined the difference between a letter and a resolution drafted by the SAC. Maria interjected that a letter is a question soliciting a response from the NMSP – a resolution being a a statement of position.

Motion –

Tom Lambert proposed a motion to prepare a resolution addressing seismic oil and gas exploration.

Joe Smith seconded All in favor

Motion –

Joe Smith proposed a motion to adopt the format style of the joint resolution drafted by Monterey Bay and Gulf of the Farallones National Marine Sanctuaries.

Doreen Moser seconded

All in favor

The Council discussed language of the joint resolution, and made edits drafting a resolution specific to Cordell Bank. The following is the final resolution language as adopted:

Cordell Bank National Marine Sanctuary Advisory Council Resolution on Seismic Airgun OCS Inventory Activities January 26, 2006

Whereas, the Omnibus Energy Act of 2005 was adopted by the U.S. Congress and signed into law during July of 2005; and

Whereas, this Omnibus Energy Act calls for an Outer Continental Shelf (OCS) "Inventory" to explore for potential oil and gas resources in all federal waters, including within sensitive areas heretofore protected by the 24-year bipartisan congressional moratorium and within the waters of all U.S. National Marine Sanctuaries; and

Whereas, seismic airgun surveys used for oil and gas purposes have been implicated by peer-reviewed scientific studies in causing damage to fishes and federally protected marine mammals and could compromise National Marine Fisheries Service rebuilding efforts for depleted groundfish stocks.

Whereas, the "OCS Inventory" provision of the Omnibus Energy Act of 2005 undermines the original intent of the National Marine Sanctuaries Act and the ecosystems it was designed to protect.

Therefore be it resolved, the Cordell Bank National Marine Sanctuary Advisory Council strongly encourages a legislative amendment exempting the waters of all sites within the National Marine Sanctuary System from the "OCS Inventory" contained in the Omnibus Energy Act of 2005; and

Further, be it resolved that any seismic airgun surveys for oil and gas proposed outside of the boundaries of any U.S. National Marine Sanctuary potentially affected by such surveys should be subject to the ecosystem protection objectives and consultation requirements of the National Marine Sanctuaries Act, and the affected sanctuary's Designation Document and Regulations.

Motion –

Carol Keiper motioned to accept the drafted resolution concerning oil and gas exploration as it effects Cordell Bank
Todd Steiner seconded
All in favor

The Council discussed where this resolution will be sent. The National Marine Sanctuary Program (NMSP) – Dan Howard, Dan Basta, Admrl Lautenbacher; The state of CA – Governor Schwarzeneger, CA Ocean Protection Council; County – Sonoma and Marin County Board of supervisors; Cordell Bank SAC website.

Dan Howard will write a cover letter to attach to NMSP and CA State offices.

Rowena Forest will draft an item for the SAC news website and include the resolution to the website.

Meeting adjourned at 3:45 pm

Action Items:

Motion –

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Joe Smith seconded All in favor

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All in favor

Motion –

Carol Keiper motioned to accept the drafted resolution concerning oil and gas exploration as it effects Cordell Bank Todd Steiner seconded

All in favor

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Attachments

Attachment #1

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Attachment #2

Education Update for CBNMS-January 2006 Jennifer Stock

Duel Roles: For two years, I will be representing the West Coast national marine sanctuaries for the West Coast Region on the Executive Education and Outreach team. The Sanctuary Program has long supported an education council made up of one person from each region and the national education coordinator to discuss national and local education initiatives and how to continue to generate support for education within NOAA and other Education institutions. In this role, I will have a great opportunity to talk and work more with the other west coast sites and bring our collective ideas and needs to the West coast Region as the structure of the regions continues to develop. This role will take about 10% of my time and will be for two years.

Exhibits and Video

Looking to a leaner year in 2006, there are several items that have carried over from 2005 that we will be finishing this year. One of the action items in the management plan was to create an exhibit/signage plan. Even though the plan has not been released, we have completed that and have been actively carrying it out year-to-year depending on the exhibit funding scenario each year. (PAC funds) Exhibits are great venues to reach many more people than we can in person by bringing Cordell Bank's hidden value to the light. The Bear Valley exhibit is complete and last year we worked with the other CA sanctuaries to create a CA Sanctuary signage plan. We have been able to hire one contractor to help meet our design needs as well as similar content that may be similar amongst the 4 CA sanctuaries. Our first signs will be going in the ground this year in: 3 locations in Point Reyes National Seashore, Doran Beach, Spud Point Marina, and new exhibit panels for aquarium tanks at Bodega Marine Lab. CB is collaborating with GF on all coastal signs due to the sanctuaries close proximity and sharing similar marine abundance. Interpretive Signage is to convey a few facts, to instill a sense of wonder, and to provoke the viewer to want to learn more.

Jenny has the exhibit plan and if anyone would like to see it, let us know, if there are certain areas that you think are hands down a must for an exhibit partnership or interpretive sign, let us know that too.

This year no exhibits were funded due to the program's cuts. Some projects were earmarked by money's that came in addition to the Sanctuary Programs budget, like Cal Academy of Sciences and UCSB. Our number one request for funds next year will again be the Oakland Museum project.

Cordell Bank Video- We've been working on producing a 12 minute video about Cordell Bank. Primarily to augment the Bear Valley exhibit in the auditorium, but it will be available for other exhibits and as a product for teachers and outreach. Jenny would like some input on how to market it to schools, organizations for use and to develop activities around its content to further its value. If anyone would like to preview the early drafts, Jenny would like to hear from you.

Remote Operated Vehicle (ROV)

This past November we hosted an ROV building workshop at Deep Ocean Exploration and Research in Alameda. 11 teachers and 6 high school students participated (accompanying their teachers) (Schools represented were from Sonoma, Napa, Marin, Alameda, and Sacramento counties). We had to turn 20 applicants away. Jenny received interest from teachers in FL, HI, Chicago, Mississippi, and southern CA to attend this workshop.

Most of the teachers are now building a PVC ROV with their class, and 5 teachers will be entering a team in the Regional student competition hosted in Monterey. We are offering a few scholarships and will be sponsoring a local team at the competition. This was all financially possible with end of the year regional funds that we secured. We hope to offer another workshop in two years if the interest continues to remain high among North Bay teachers. The best part of the workshop was that it was hosted in a real ocean technology facility and that teachers were able to bring select students who will be leading the ROV building back at their school. Participants were able to sit in a Deep worker submersible, play with a robotic arm and learn about some scenarios the company has to build to. ROV education is another action item in the Management plan that we've been able to get a head start on. The goal of supporting ROV workshops is to increase skills and awareness in the ocean engineering/technology field. It generally targets high school grades as being compatible to the physics and science curriculums, but many other grades and schools are building ROVs as part of their oceanography club or biology class. Being that Cordell Bank is remote and inaccessible to most people, using the link of exploration and technology to explore Cordell Bank and to learn more about it to protect it is a compatible education action for CBNMS to support. We partner with the Marine Advanced Technology and Education Center based out of Monterey to carry out the instruction of the workshop and are working with other national marine sanctuaries to make sure Research and exploration of sanctuaries as a theme is getting into all the workshops being hosted around the country.

BWET Grant.

We are excited about this opportunity to collaborate with Bay Area education organizations. One main component of this grant is for Sanctuaries to be tied in as part of the grant, so this will be great exposure for Cordell Bank and Gulf of the Farallones to many students. The deadlines were pushed back due to the delay in the announcement being pushed live on the web. We just hosted two workshops for potential applicants to learn more about applying. Seaberry Nachbar (based in Monterey) oversees this grant and will be hiring a local person to oversee the SF Bay BWET grant in the next few months. Again, this grant is to fund hands on education projects where students get outdoor hands on experiences.

CA Ocean Communicators Workshop.

CA Sanctuaries are working with the State to cultivate a public media campaign to promote ocean literacy. Working with the West Coast Media liaison, we have been supporting the development of an ocean communicator workshop at the Cal Academy Feb. 10. This effort is also running parallel with ocean literacy efforts in classroom education.

- California Ocean Communicators are communications professionals from oceanrelated organizations, industries and agencies who work daily with ocean messages and communicate those messages to thousands, if not millions of Californians.
- The goal in bringing Ocean Communicators together is to increase public ocean awareness in California through agreement on messages and cooperation in communicating those messages through the media.

The Ocean Communicators role has been written in to the California *Ocean and Coastal* Information, *Research*, *and Outreach Strategy* presented by the California Ocean Protection Council. Building a public outreach strategy is a key action in Governor Schwarzenegger's Ocean Action Plan

Jenny and Dan will be participating in the meeting. Jenny is on the steering committee and has been working with the other CA sanctuaries at targeting the right organizations and communication professionals.

Please do not hesitate to contact me, Duffy, or Doreen with ideas of where you feel our education programs could go and contacts you think could be beneficial.